UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:17-cy-00110-FDW

KEITH ERWIN ALLEN,)	
Plaintiff,)	
vs.)	<u>ORDER</u>
BUNCOMBE COUNTY, NORTH)	
CAROLINA, et al.,)	
Defendants.)	

THIS MATTER is before the Court on its own motion.

Plaintiff was a pre-trial detainee being held at the Buncombe County Detention Center in Asheville, North Carolina when, on April 19, 2017, he filed a complaint in this Court pursuant to 42 U.S.C. § 1983. (Doc. No. 1). He filed an amended complaint on May 9, 2017. (Doc. No. 4.)

Plaintiff's Amended Complaint suffers from numerous defects, including joinder of unrelated claims against multiple defendants, see Fed. R. Civ. P. 20(a)(2), and failure to allege personal involvement by any of the named defendants, except one, in the actions Plaintiff claims violated one or more of his constitutional rights, see e.g., Monell v. New York City Dep't of Social Servs., 436 U.S. 658, 690 (1978). (Order 3-6, Doc. No. 8.) By Order entered September 12, 2017, the Court provided Plaintiff 30 days to correct the deficiencies identified in the Order. (Order 6.) Plaintiff was forewarned that failure to correct the deficiencies would result in dismissal of the Amended Complaint. (Order 6.)

The Clerk of Court mailed a copy of the Court's Order to Plaintiff at the Buncombe County Detention Center on the day the Order was entered. (Sept. 12, 2017 Doc. Entry.) It was

returned as undeliverable because Plaintiff had been released on bond on June 24, 2017. (Sept. 26, 2017 Doc. Entry.)

Plaintiff has not notified the Court of his change of address, although he has had more than four months to do so. The Court will not hold this action open on the off chance Plaintiff will renew his interest in it at some point. Accordingly, the Amended Complaint shall be dismissed, albeit without prejudice to Plaintiff's ability to timely file a similar action in the future.

IT IS, THEREFORE, ORDERED that Plaintiff's Amended Complaint (Doc No. 4) is **DISMISSED without prejudice**, and the Clerk of Court is directed to close this action.

Signed: October 27,

Frank D. Whitney

Chief United States District Judge